

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IÑIGO RUMAYOR,

Plaintiff,

-v-

MASTERCARD INTERNATIONAL INC,

Defendant.

23 Civ. 9280 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On October 20, 2023, plaintiff Iñigo Rumayor brought suit against defendant MasterCard International Inc. under this Court's diversity jurisdiction. *See* 28 U.S.C. § 1332; Dkt. 1 at 1. In the Complaint, Rumayor describes himself as a current domiciliary of Mexico. The Court seeks clarification on whether Rumayor is a United States citizen. The Second Circuit has interpreted 28 U.S.C. § 1332(a) to state that "a suit by or against United States citizens domiciled abroad may not be premised on diversity." *Cresswell v. Sullivan & Cromwell*, 922 F.2d 60, 68 (2d Cir. 1990). Accordingly, if Rumayor is a United States citizen who is domiciled in Mexico, the Court would lack diversity jurisdiction under 28 U.S.C. § 1332(a).

The "Jurisdiction and Venue" section of the Complaint states that Rumayor is "a citizen of Mexico." Dkt. 1 at 1. It is unclear whether this statement means that Rumayor is not a United States citizen. Accordingly, the Court directs a response from Rumayor on this point.

SO ORDERED.



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PAUL A. ENGELMAYER  
United States District Judge

Dated: October 27, 2023  
New York, New York